



General Assembly

Substitute Bill No. 590

January Session, 2005

* SB00590ENV__032105__ *

AN ACT CONCERNING REVISIONS TO THE INVASIVE PLANT PROVISIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-381d of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2005*):

3 (a) Notwithstanding the provisions of any ordinance adopted by a
4 municipality, no person shall [import,] move, except for eradication
5 purposes, import, sell, purchase, transplant, cultivate or distribute any
6 of the following invasive plants: (1) Curly leaved Pondweed
7 (*Potamogeton crispus*); (2) fanwort (*Cabomba caroliniana*); (3) eurasian
8 water milfoil (*Myriophyllum spicatum*); (4) variable water milfoil
9 (*Myriophyllum heterophyllum*); (5) water chestnut (*Trapa natans*); (6)
10 egeria (*Egeria densa*); (7) hydrilla (*Hydrilla verticillata*); (8) common
11 barberry (*Berberis vulgaris*); (9) autumn olive (*Elaeagnus umbellata*);
12 (10) Bell's honeysuckle (*Lonicera xbella*); (11) amur honeysuckle
13 (*Lonicera maackii*); (12) Morrow's honeysuckle (*Lonicera morrowii*);
14 (13) common buckthorn (*Rhamnus cathartica*); (14) multiflora rose
15 (*Rosa multiflora*); (15) Oriental bittersweet (*Celastrus orbiculatus*); (16)
16 garlic mustard (*Alliaria petiolata*); (17) narrowleaf bittercress
17 (*Cardamine impatiens*); (18) spotted knapweed (*Centaurea*
18 *biebersteinii*); (19) black swallow-wort (*Cynanchum louiseae*); (20) pale
19 swallow-wort (*Cynanchum rossicum*); (21) leafy spurge (*Euphorbia*

20 esula); (22) Dame's rocket (*Hesperis matronalis*); (23) perennial
 21 pepperweed (*Lepidium latifolium*); (24) Japanese knotweed
 22 (*Polygonum cuspidatum*); (25) mile-a-minute vine (*Polygonum*
 23 *perfoliatum*); (26) fig buttercup (*Ranunculus ficaria*); (27) coltsfoot
 24 (*Tussilago farfara*); (28) Japanese stilt grass (*Microstegium vimineum*);
 25 (29) common reed (*Phragmites australis*); (30) sycamore maple (*Acer*
 26 *pseudoplatanus*); (31) princess tree (*Paulownia tomentosa*); (32) white
 27 poplar (*Populus alba*); (33) false indigo (*Amorpha fruticosa*); (34)
 28 Russian olive (*Eleagnus angustifolia*); (35) wineberry (*Rubus*
 29 *phoenicolasius*); (36) kudzu (*Pueraria montana*); (37) Canada thistle
 30 (*Cirsium arvense*); (38) jimsonweed (*Datura stramonium*); (39) crested
 31 late-summer mint (*Elsholtzia ciliata*); (40) Cypress spurge (*Euphorbia*
 32 *cyparissias*); (41) slender snake cotton (*Froelichia gracilis*); (42) ground
 33 ivy (*Glechoma hederacea*); (43) giant hogweed (*Heracleum*
 34 *mantegazzianum*); (44) Japanese hops (*Humulus japonicus*); (45)
 35 ornamental jewelweed (*Impatiens glanulifera*); (46) common kochia
 36 (*Kochia scoparia*); (47) ragged robin (*Lychnis flos-cuculi*); (48) Scotch
 37 thistle (*Onopordum acanthium*); (49) bristle knotweed (*Polygonum*
 38 *caespitosum*); (50) giant knotweed (*Polygonum sachalinense*); (51)
 39 sheep sorrel (*Rumex acetosella*); (52) ragwort (*Senecio jacobaea*); (53)
 40 cup plant (*Silphium perfoliatum*); (54) bittersweet nightshade
 41 (*Solanum dulcamara*); (55) garden heliotrope (*Valeriana officinalis*);
 42 (56) hairy jointgrass (*Arthraxon hispidus*); (57) drooping brome-grass
 43 (*Bromus tectorum*); (58) Japanese sedge (*Carex kobomugi*); (59) reed
 44 managrass (*Glyceria maxima*); (60) Canada bluegrass (*Poa compressa*);
 45 and (61) tree of heaven (*Ailanthus altissima*).

46 (b) Notwithstanding the provisions of any ordinance adopted by a
 47 municipality, on or after October 1, 2005, no person shall [import,]
 48 move, except for eradication purposes, import, sell, purchase,
 49 transplant, cultivate or distribute any of the following invasive plants:
 50 (1) Purple loosestrife (*Lythrum salicaria*); (2) forget-me-not (*Myosotis*
 51 *scorpioides*); (3) Japanese honeysuckle (*Lonicera japonica*); (4)
 52 goutweed (*Aegopodium podagraia*); (5) flowering rush (*Butomus*
 53 *umbellatus*); (6) pond water-starwort (*Callitriche stagnalis*); (7)

54 European waterclover (*Marsilea quadrifolia*); (8) parrotfeather
55 (*Myriophyllum aquaticum*); (9) brittle water-nymph (*Najas minor*);
56 (10) American water lotus (*Nelumbo lutea*); (11) yellow floating heart
57 (*Nymphoides peltata*); (12) onerow yellowcress (*Rorippa microphylla*);
58 (13) watercress (*Rorippa nasturtium-aquaticum*), except for watercress
59 sold for human consumption without its reproductive structure; (14)
60 giant salvinia (*Salvinia molesta*); (15) yellow iris (*Iris pseudacorus*);
61 [(16) water lettuce (*Pistia stratiotes*); (17)] (16) border privet (*Ligustrum*
62 *obtusifolium*); [(18)] (17) tatarian honeysuckle (*Lonicera tatarica*); [(19)]
63 (18) dwarf honeysuckle (*Lonicera xylosteum*); and [(20)] (19) garden
64 loosetrife (*Lysimachia vulgaris*).

65 (c) From June 26, 2003, until [October 1, 2005] February 1, 2006, no
66 municipality shall adopt any ordinance that would go into effect prior
67 to May 15, 2006, regarding the retail sale or purchase of any invasive
68 plant.

69 (d) Any person who violates the provisions of this section shall be
70 fined not more than one hundred dollars per plant.

71 Sec. 2. Subsection (e) of section 22-344 of the general statutes is
72 repealed and the following is substituted in lieu thereof (*Effective July*
73 *1, 2005*):

74 (e) The commissioner may, at any time, inspect or cause to be
75 inspected by his agents any such commercial kennel, pet shop,
76 grooming facility or training facility, and if, in his judgment such
77 kennel, pet shop, grooming facility or training facility is not being
78 maintained in a sanitary and humane manner or in a manner that
79 protects the public safety, [or] if he finds that contagious, infectious or
80 communicable disease or other unsatisfactory conditions exist, or, in
81 the case of a pet shop, if the commissioner finds any violation of the
82 provisions of section 22a-381d, as amended by this act, he may issue
83 such orders as he deems necessary for the correction of such conditions
84 and may quarantine the premises and animals. If the owner or keeper
85 of such kennel, pet shop, grooming facility or training facility fails to

86 comply with the regulations or orders of the commissioner, or fails to
87 comply with any provision of the statutes or regulations relating to
88 dogs or other animals, the commissioner may revoke or suspend such
89 license. Any person aggrieved by any order issued under the
90 provisions of this section may appeal therefrom in accordance with the
91 provisions of section 4-183. Any person maintaining any commercial
92 kennel, pet shop, grooming facility or training facility without having
93 obtained a license for the same or after any such license has been
94 revoked or suspended as provided herein shall be fined not more than
95 two hundred dollars. The provisions of this section shall not apply to
96 veterinary hospitals, except those boarding or grooming dogs for
97 nonmedical purposes, and other establishments where all the dogs or
98 animals were born and raised on the premises where they are kept for
99 sale.

100 Sec. 3. Section 22-84 of the general statutes is repealed and the
101 following is substituted in lieu thereof (*Effective July 1, 2005*):

102 The director of the Connecticut Agricultural Experiment Station
103 shall have charge of all matters pertaining to official control,
104 suppression or extermination of insects or diseases which are, or
105 threaten to become, serious pests of plants of economic importance. He
106 shall receive no additional compensation for such work, and may
107 designate members of the station staff to carry out certain lines thereof
108 and may employ such other assistance as may be required. Said
109 director may cooperate with the agents of the United States
110 Department of Agriculture in the control of plant pests; may make
111 regulations and orders regarding the destruction or treatment of
112 infested plants; may seize, treat, disinfect or destroy any plants or
113 plant material moved in violation of any quarantine or regulation
114 established under the provisions of this section or suspected of being
115 infested by any dangerous insect pest or plant disease; may prohibit or
116 regulate the transportation of plants and plant materials, brick, stone
117 and quarry products or any other objects or materials liable to carry
118 dangerous pests and may designate certain areas or districts wherein
119 all such plants may be destroyed. Said director is authorized to

120 promulgate, and to enforce by appropriate regulations, a quarantine
121 prohibiting or restricting the transportation of any class of nursery
122 stock, plant, fruit, seed or other article capable of carrying any
123 dangerous plant disease or insect infestation, with reference to which
124 the Secretary of Agriculture of the United States has not determined
125 that a quarantine is necessary and established such quarantine, into or
126 through this state or any portion thereof from any other state, the
127 District of Columbia or any part of such state or said district in which
128 said director finds such plant disease or insect infestation to exist. Said
129 director is authorized to make regulations for the seizure, inspection,
130 disinfection, destruction or other disposition of any nursery stock,
131 plant, fruit, seed or other article capable of carrying any dangerous
132 plant disease or insect infestation, a quarantine with respect to which
133 has been established by the Secretary of Agriculture of the United
134 States, and which have been transported to, into or through this state
135 in violation of such quarantine. Said director may inspect nursery and
136 nursery stock, as defined in section 22-97, for any violation of the
137 provisions of section 22a-381d, as amended by this act. Said director
138 may establish and maintain a quarantine against any premises, district,
139 town or group of towns in this state, provided, before any quarantine
140 is established within the state, a public hearing shall be held, of which
141 five days' notice shall be given to the parties affected, either by mail or
142 by publishing such notice in two newspapers having a circulation in
143 the part of the state affected by such quarantine. Said director or any
144 person authorized by him to enforce the provisions of this section may,
145 at any reasonable time, enter any public or private premises in the
146 performance of his duty. Any person aggrieved by any order of
147 quarantine issued under the provisions of this section may appeal to
148 the Superior Court, or to any judge thereof if said court is not in
149 session, and said court or such judge may grant such relief or issue
150 such order or judgment in the premises as to equity may appertain.
151 Any person interfering with any person in the performance of his duty
152 under the provisions of this section or violating any quarantine or any
153 regulation established under said provisions shall be fined not less
154 than five dollars nor more than one hundred dollars.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2005</i>	22a-381d
Sec. 2	<i>July 1, 2005</i>	22-344(e)
Sec. 3	<i>July 1, 2005</i>	22-84

ENV *Joint Favorable Subst.*